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Subject: Cross-Cutting Issues News for October 13, 2016



Cross-Cutting Issues

News for October 13, 2016

Bloomberg BNA Daily Environment Report™

NEWS

Climate Change

Clean Power Turned Back the Clock on Greenhouse Gases

It looks as if all those wind and solar farms in the U.S. are making a dent in greenhouse gases that cause climate change....

Climate Change

EU Postpones Aviation Emissions Trading Decision

A European Union decision on the ramifications for the bloc's emissions trading system of an international greenhouse gas deal for aviation will be deferred until early 2017, the EU's top transportation official said Oct. 12....

Enforcement

Four Texas Companies to Pay \$3.3M for Clean Air Act Crimes

Four Texas oil and chemical companies will pay \$3.3 million in penalties after pleading guilty to criminal violations of the Clean Air Act, including an incident leading to a fatal tank explosion in 2011, the Justice Department announced Oct....

International Climate

Next for Airline Emissions Deal: Turning Goal to Action

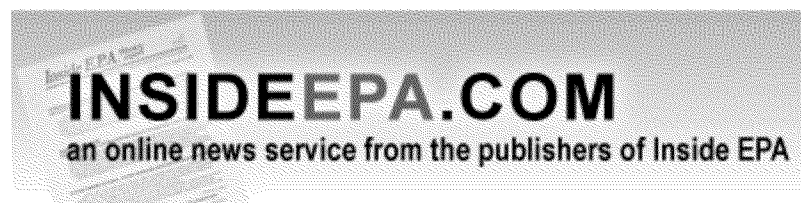
After reaching a landmark agreement to limit greenhouse gas emissions from international flights, the global community next week begins diving into the work of translating the goal into action....

INTERVIEW

Climate Policy

California's Climate Challenges Remain as Key Lawmaker Exits

California State Sen. Fran Pavley (D), considered by many as the state's most influential environmental leader since 2002, wraps up her last term as a state lawmaker in December, leaving a solid foundation of important climate and energy...



Inside EPA's **Weekly Update**, 10/14/2016

<http://insideepa.com/newsletters/inside-epa>

Latest News

Environmentalists Seek Additional Oil & Gas Air Rules Ahead Of Next EPA

Environmentalists are pushing EPA to pursue several additional emissions rules for the oil and gas sector beyond methane limits the agency has already said it is considering, hoping to “set the stage” before President Obama leaves office in January for an aggressive series of rules that could potentially bind the next EPA to some extent.

Sierra Club Claims EPA PM 'Hot Spot' Air Guidance Is Unlawful Rulemaking

Sierra Club and citizen activists are asking a federal appeals court to scrap EPA's 2015 guidance on how states ensure transportation projects do not create emissions hot-spots that violate federal particulate matter (PM) standards, arguing the guidance constitutes a “rule” that unlawfully evaded public notice and comment requirements.

D.C. Circuit Urged To Uphold Bar On Credit For 'Out Of Area' Ozone Cuts

Environmentalists are urging a federal appeals court to uphold EPA's policy of not allowing areas exceeding its ozone ambient air standard to rely on emissions cuts outside those areas to count toward “reasonable progress” in attaining the ozone limit, fighting a bid by a California air district to have the court scrap the policy.

Industry Coalition Rejects Claim Of Ozone Implementation Rule 'Backsliding'

A major coalition of industries in a new legal filing is defending EPA's rule for implementing the 2008 ozone air standard from environmentalists' claims that it unlawfully allows “backsliding,” or removal of existing ozone pollution controls, while also offering a defense of various other provisions of the implementation rule.

Ruling Vacating OSHA's PSM Policy Could Force EPA To Ease RMP Rule

A recent federal appeals court ruling striking down an Occupational Safety and Health Administration (OSHA) policy broadening the reach of its process safety management (PSM) rule to retailers will likely force EPA to ease its proposed facility safety rule update for facilities in the sector because it relies in part on the OSHA policy.

News Briefs

EPA, North Carolina Eye Consent Decree In OTC Expansion Suit

EPA and North Carolina have agreed to an undisclosed tentative consent decree in the state's lawsuit

trying to force a deadline for the agency to respond to a petition filed by members of the Eastern Ozone Transport Commission (OTC) to try and expand the scope of the OTC to include North Carolina and other states.

Greenwire

LAW:

'Blockbuster' cases the new norm in enviro litigation

Amanda Reilly, E&E reporter

Published: Wednesday, October 12, 2016

The United States has entered the "era of mega-cases" in environmental litigation.

So says the Obama administration's top environmental attorney.

Environmental litigation is more demanding and requires more of the Justice Department's resources, but the payoffs are higher, said John Cruden, chief of DOJ's Environment and Natural Resources Division.

Addressing an environmental law gathering in Denver last week, he cited the BP PLC settlement for the Deepwater Horizon oil spill as an example, where the company agreed to pay more than \$20 billion in a deal with the government and five Gulf Coast states.

"You used to be able to count on one hand the number of 1-million-document cases we had. Now I can't do that," Cruden said at the American Bar Association environmental law conference in Denver. "Now when we talk about million-document, we talk about terabytes of documents that are there. It's so standard for us."

Cruden, who has been the DOJ's top environmental lawyer since December 2014, said that the centers of complex litigation previously involved antitrust cases and, in the area of the environment, Superfund cleanup.

Superfund litigation involves complex questions of liability for contaminated sites and payment and reimbursement for cleanup.

While Superfund remains a key part of DOJ's activities, the "mega-case" trend has spilled into other areas of environmental litigation. Another recent example is the proposed \$14.7 billion settlement to resolve the Volkswagen AG emissions cheating scandal.

"The antitrust assistant attorney general just sent over people to consult with us — environment — asking how do you do mega-cases there?" Cruden said.

On top of having more documents to deal with, DOJ's environmental lawyers are also dealing with new technology in and out of the courtroom in these big cases, Cruden said. Electronics have changed the display of information inside the courtroom, while new monitoring technologies are making it easier to track pollution in the environment.

"Technology has transformed the courtroom," Cruden said. "It's an opportunity for us, and it's also a

challenge for us as litigators."

Increasingly, DOJ's environmental law practice has also "gone overseas," Cruden added, where U.S. attorneys have to wade through other countries' laws as part of litigation.

"That's also a whole other new world for us — having just not only these massive documents and very often class-action litigation that we do simultaneously, but then dealing with this internationally," Cruden said. "Trying to figure out other countries' laws has become part of our normal process."

Aside from big enforcement cases, DOJ is currently dealing with litigation over U.S. EPA's Clean Power Plan and the administration's Clean Water Rule, otherwise known as Waters of the U.S., or WOTUS. Both of those "blockbuster" cases have the "potential to really define the scope of regulatory authority at EPA," said Ronald Tenpas, a partner at Morgan, Lewis & Bockius LLP and former DOJ assistant attorney general.

In both cases, challengers say EPA has overstepped the authority given to it by Congress.

"One of the things that I think will come out of the Clean Power Plan litigation and the Waters of the U.S. litigation is some testing and illustration of very, very big constitutional themes that are not especially connected to environmental law," Tenpas said. "Environmental law will be the vehicle, in the same way that environmental law produced *Chevron*, which matters across every nook and cranny of administrative law."

The 1984 Supreme Court case *Chevron USA Inc. v. Natural Resources Defense Council* established the principle under which the courts defer to reasonable agency interpretations of statutes where Congress is ambiguous on an issue.

Environmental cases are more politically salient nowadays because they follow the narrative put forth by opponents of regulation that the executive branch is usurping Congress, said Richard Revesz, director of New York University's Institute for Policy Integrity.

"It's cast as some tectonic fight between the executive branch and Congress," Revesz said. "It gets more public attention."

SWING STATES:

Can Trump or Clinton bet the farm on Iowa?

Marc Heller, E&E reporter

Published: Wednesday, October 12, 2016



Wind energy is an increasingly important part of Iowa's economy — but still generates political controversy. Photo courtesy of Global Green Partners.

Eighth in a series.

Farms are the top story in Iowa — for food, for energy and for the waste that the state's 20 million or so hogs and millions more cattle produce.

"In Iowa, water quality and clean energy continue to remain front and center," said Ralph Rosenberg, executive director of the Iowa Environmental Council.

AN E&E SERIES



A look at the key issues and most competitive down-ballot races in presidential battlegrounds.

As the top producer of several agricultural goods from crops to livestock, Iowa will play prominently in debates ranging from regulation of farm runoff to the safety net for farmers to the role of biofuels in the next administration.

Donald Trump, the Republican presidential nominee, lost the Iowa Republican caucuses this year to Texas Sen. Ted Cruz. Hillary Clinton, the Democratic nominee, won the Democratic caucuses by the narrowest of margins. Both are working the state hard in the general election — though recent polls suggest Trump may have a slight advantage.

Iowa is also home to a reasonably competitive Senate race, made all the more prominent by the lingering

vacancy on the U.S. Supreme Court, and to two tight House races.

Here's a look at some of the issues likely to be on Iowa voters' minds on Election Day:

Renewable fuel standard

Iowa leads the nation in production of corn-based ethanol, and support of federal mandates on its use has long been seen as a prerequisite for political success in the state.

"It, maybe along with wind energy, was the only energy issue impacting Iowa that both candidates addressed — and both candidates addressed the RFS favorably during the caucus race," said Monte Shaw, executive director of the Iowa Renewable Fuels Association.

While Trump has mentioned the RFS during post-primary campaign stumps in Iowa, Clinton hasn't, Shaw said.

Although rumbles of repealing or scaling back the RFS sometimes roll through Congress, most of the action is at U.S. EPA, which will continue to adjust renewable fuel volumes in the next administration.

The next administration's EPA could be forced to change aspects of the RFS depending on the outcome of lawsuits, including how the agency uses its waiver authority to set levels lower than the RFS law dictates.

Wind energy

Iowa is also a top producer of wind energy, with nearly \$10 billion of investment, according to the Iowa Wind Energy Association, a trade group. An additional \$8 billion to \$10 billion may be invested in the next three to five years, the group said.

The industry employs as many as 7,000 people in Iowa, making it third in the nation in wind energy employment, the association said.

Trump has been critical of wind energy, including in a recent speech in Pennsylvania coal country, where he blamed windmills for bird deaths. Clinton has said she supports the wind production tax credit, one of the industry's top priorities.

The tax credit isn't permanent in the tax code, meaning Congress has to renew it on a regular basis. The production tax credit is set to phase down over several years, although Congress would revisit that issue in any tax overhaul, and taxpayers can opt for an investment tax credit, also subject to further review by Congress and the next administration.

Clean water

Water quality is "by far" Iowa's top environmental issue, said Craig Cox, senior vice president for agriculture and natural resources policy at the Environmental Working Group. In Iowa, that issue is tied to runoff from fertilizer and manure.

The issue has made headlines because of a lawsuit filed by Des Moines Water Works against 10 drainage districts in three counties ([Greenwire](#), Jan. 15). But that's "the tip of the iceberg" in pollution tied to farming, Cox said, and environmentalists continue to push for a greater federal role in combatting it.



Iowa Farm Bureau Federation President Craig Hill. Photo courtesy of Iowa Farm Bureau Federation.

Des Moines Water Works is essentially challenging federal exemptions for farms under the Clean Water Act, an effort that faces stiff opposition from farm groups and not much support among key lawmakers in Washington. Farm groups in Iowa are helping pay the drainage districts' legal costs, and the president of the Iowa Farm Bureau Federation, Craig Hill, said his members worry that farmers who follow environmental rules still face heavy regulation from EPA.

Aside from the role EPA will play in regulating farm runoff, the Department of Agriculture will play a part through conservation programs. Cox said his group also plans to push for tighter federal control on conservation compliance, including requiring producers participating in federal farm programs to take more measures aimed at cleaning waterways.

Trump has called for rolling back EPA regulations and the Obama administration's Clean Water Rule. Clinton hasn't explicitly commented on the policy, according to the League of Conservation Voters, but she did win the endorsement of the group Clean Water Action.

Trade and farm bill

The next five-year farm bill will begin to take shape as the new administration takes over in 2017. That will shape most programs at USDA, including crop insurance, which is always important to the state, Hill said.

Iowa tops the nation for hogs and pigs, grains and oilseeds, and corn for grain, and it ranks fourth nationally for cattle and calves, according to the National Agricultural Statistics Service. Unless farm fortunes turn around soon — farm income is down sharply this year, USDA has said — debates about the farm safety net will occur as farmers in Iowa and elsewhere are feeling stretched.

While the farm bill looms, so does agricultural trade, Hill said. Farmers in Iowa largely support the Trans-Pacific Partnership, for instance, which would boost pork exports to Japan. More than a quarter of pork produced in Iowa is exported, he said.

Ethanol is increasingly exported as well, said Hill, who added that he's concerned about the "battering that trade has taken from both candidates."

Poll vault

Iowa has voted Democratic in six of the last seven White House elections, after siding with the GOP in the

five previous presidential votes. Republicans had a very good year in the state in 2014, and they appear to be maintaining some of that momentum into this election cycle, even as two freshman House GOP incumbents face great danger in November. Here are the three most recent presidential polls in the Hawkeye State:

Des Moines Register: Trump 43 percent, Clinton 39 percent. Poll of 642 likely voters taken Oct. 3-6, with a 3.9-point margin of error.

Loras College: Trump 42 percent, Clinton 42 percent. Poll of 491 likely voters taken Sept. 20-22, with a 4.4-point margin of error.

Quinnipiac University: Trump 50 percent, Clinton 44 percent. Poll of 612 likely voters taken Sept. 13-21, with a 4-point margin of error.

Down-ballot races

Six-term Sen. **Chuck Grassley** (R), whose political career dates back to the 1950s, faces one of his toughest re-election contests ever against former Lt. Gov. **Patty Judge** (D), who jumped into the race late. Grassley remains broadly popular, but his role as chairman of the Senate Judiciary Committee, which has bottled up the nomination of Merrick Garland, President Obama's Supreme Court nominee, has been controversial. Whether it's unpopular enough to cost Grassley another term remains to be seen. He's ahead in the polls, but Democrats remain hopeful, especially if Trump begins to slip.



From left to right: U.S. Rep. Rod Blum (R) and Cedar Rapids City Councilwoman Monica Vernon (D) Photos courtesy of the Blum and Vernon campaigns via Twitter.

Democrats are more confident about their ability to flip two House seats that went Republican in 2014. *The Cook Political Report* rates both the 1st District race, where Cedar Rapids City Councilwoman **Monica Vernon** (D) is trying to oust Rep. **Rod Blum** (R), and the 3rd District race, where Rep. **David Young** (R) is trying to hold off Iraq War veteran **Jim Mowrer** (D), as toss-ups. The 1st District, which takes in northeast Iowa, gave Obama a 14-point edge over Mitt Romney in the 2012 White House election; Obama carried the Des Moines-based 3rd District by a more modest 4 points.

Reporter Josh Kurtz contributed.

Next: A look at Nevada.

ENDANGERED SPECIES:

Elephants could have a savior in Clinton

Published: Wednesday, October 12, 2016

Democratic presidential nominee Hillary Clinton surprised Ellen DeGeneres in May when she told her that her spirit animal is an elephant.

The elephant, which is the symbol for the GOP, is facing a poaching crisis that has killed about 110,000 in the last decade.

If elected, Clinton could be a powerful advocate for the largest land mammal.

"I love the way ... the matriarch of the family looks for everybody; I just have such a sense of connection to elephants, and it just breaks my heart that they are being poached and murdered and babies being left to fend for themselves," Clinton said in a clip of "The Ellen DeGeneres Show" that aired only on Facebook.

Although Clinton's affinity for elephants has not been widely reported, she advocated against global trafficking during her time as secretary of State in the Obama administration.

Clinton's appreciation for elephants stems from a trip to Tanzania in 1997. She also has worked through her family's foundation to combat elephant poaching (Jeremy Hance, *London Guardian*, Oct. 11). — **CS**

ADVOCACY:

Center for Progressive Reform expands climate team

Hannah Hess, E&E reporter

Published: Wednesday, October 12, 2016

A Maryland-based water policy expert has joined the Center for Progressive Reform to work on several new projects related to climate change and adaptation strategies, the think tank announced today.

David Flores comes to CPR from Blue Water Baltimore, a local advocacy group that has intervened in efforts to stop city sewage leaks linked to stormwater overflows and undertaken water quality research.



David Flores. Photo courtesy of Center for Progressive Reform.

At CPR, Flores will work with policy analyst Evan Isaacson on the center's Chesapeake Bay program. With Maryland and six other jurisdictions approaching a key milestone in the decadeslong effort to reduce pollution into the bay, Flores will bolster CPR's efforts to help states and federal agencies incorporate climate resiliency into their plans for the watershed.

"He's a smart analyst and a strategic advocate — the perfect person to work alongside our member scholars and our allies to shape climate adaptation policy," said Matthew Shutz, executive director of CPR.

Flores will also focus on climate-induced migration and relocation.

Earlier this year, CPR presented new research on the geographic and social vulnerabilities threatening coastal communities in low-lying Louisiana, such as the Biloxi-Chitimacha-Choctaw tribe of Isle de Jean Charles, La., which was awarded \$48 million from the Department of Housing and Urban Development to relocate to higher ground ([ClimateWire](#), April 14).

Flores — who has also worked with the Baltimore Ecosystem Study's long-term ecological research program and Hudsonia Ltd., a nonprofit environmental research institute in New York — will be looking at property law and agencies that help with migrants' rights. He will also study the service providers involved in relocation, Shutz told E&E News.

Flores said he has seen "firsthand how impacts from climate change should be driving reform and adaptation policy that serves to protect vulnerable communities and natural resources today" and is thrilled to work with his colleagues to address adaptation challenges in all of CPR's issue areas.

Maxine Burkett, a CPR member scholar and a professor at the University of Hawaii's William S. Richardson School of Law, is also heavily involved in climate adaptation policy. Flores' position is new.

"As a climate adaptation scholar, I'm particularly eager to work with David," said Robert Verchick, president of CPR. "He's a skilled advocate and cares deeply about the communities he works with. We're thrilled to have him join our team."

HURRICANE MATTHEW:

Inundated farms, ash ponds bring more woes to soaked N.C.

Tiffany Stecker, E&E reporter

Published: Wednesday, October 12, 2016



A flooded concentrated animal feeding operation in Duplin County, N.C., near the Northeast Cape Fear River. Photo courtesy of Waterkeeper Alliance.

Flooding rivers in the wake of Hurricane Matthew are overwhelming coal ash ponds and livestock operations and dispersing the contaminants through North Carolina's waterways, riverkeeper organizations said today.

Since Monday, members of the Waterkeeper Alliance have shot aerial photos of the state's rivers mingling with lagoons containing animal manure and coal ash ponds.

Rick Dove, a senior adviser with the Waterkeeper Alliance, said he saw about five lagoons yesterday releasing raw animal waste to rivers.

"If you had a canoe you could actually paddle your canoe right in the river [from the lagoon]," he said.

Hurricane Matthew is the worst storm to hit North Carolina since 1999's Hurricane Floyd. The state has been particularly hit by inland flooding of rivers, rather than coastal flooding. The storm and subsequent floodwaters have killed 19 people in the state and 19 more in surrounding states. It killed at least 1,000 people when it slammed Haiti last week.

Southeastern North Carolina is home to the highest concentration of hog concentrated animal feeding operations — or CAFOs — in the country. Waterkeeper Alliance and the Environmental Working Group targeted the industry in a [report](#) earlier this year, finding that CAFOs in the state are responsible for nearly 10 billion gallons of waste annually, enough to top more than 15,000 Olympic-size swimming pools.

The state is also home to 32 coal ash basins managed by Duke Energy Corp., where a leak in 2014 led to more than 30,000 tons of ash spilling into the Dan River ([Greenwire](#), Oct. 7). Coal ash contains heavy metals and other toxic substances.

"We're all holding our breath that the situation doesn't get worse," said Cassie Gavin, director of government relations for the Sierra Club's North Carolina chapter. Though the state has made progress in its mapping of floodplains, it is still grappling with waste management from booming agricultural and energy industries.

Dove is also concerned that dead livestock will not be properly disposed of and will pollute the water with bacteria, a throwback to contamination concerns during the outbreak of the porcine epidemic diarrhea virus two years ago.

"It was pretty obvious to me that the chickens or turkeys inside were dying or did die," he said after his tour of the area.

The National Weather Service is projecting the Neuse River in Kinston will reach 27.5 feet by Saturday morning, nearing the record set by Hurricane Floyd. The Cape Fear River is expected to crest at 15.8 feet by Friday, three times the elevation of its normal flow.

Floyd, which caused \$1 billion in damage and killed 48 people 17 years ago, flooded farm lagoons, spurring the North Carolina Department of Environment & Natural Resources to implement an emergency waste management strategy to keep hog and poultry feces out of the water supply. The strategy banned the reconstruction of damaged lagoons in the floodplain.

Hurricane Matthew may be dramatic, but the overflow of animal waste and coal ash is not new after a storm, said Dove.

"This is historically an area that floods and does great damage to the environment every time," he said of the Northeast Cape Fear River area in the southeastern part of the state.

Another area of concern is around Goldsboro, N.C., where Duke Energy's retired H.F. Lee coal-fired power plant is located.

"It's almost indescribable how much water is over that power plant right now," said Travis Graves, riverkeeper for the lower Neuse River, which empties in Pamlico Sound about 100 miles north of Wilmington, N.C.

There are three inactive coal ash storage ponds near Goldsboro. Two are almost entirely under water, said Graves.

In a televised gubernatorial debate last night, Gov. Pat McCrory (R) and his Democratic challenger, state Attorney General Roy Cooper, both referenced the floods in their opening statements and urged the state to come together during its hour of need. McCrory also issued a stark warning to residents of certain areas of Moore County to evacuate immediately, because Woodlake Dam is in danger of failing.

Cooper claimed credit for creating North Carolina's disaster relief fund as state Senate majority leader in 1999, when the state was coping with damage from Hurricane Floyd. He said McCrory declined to veto a bill that would remove \$500,000 in lawyers' fees from the fund.

"It's still in the disaster relief fund," McCrory insisted.

Cooper has criticized McCrory for his administration's management of the 2014 coal ash spill. A recent TV ad calls McCrory the "Duke Energy Governor" ([*Greenwire*](#), Sept. 2).

Reporter Josh Kurtz contributed.

WILD HORSES:

Appeals court dismisses lawsuit calling for roundup

Published: Wednesday, October 12, 2016

A federal appeals court in Denver yesterday dismissed an effort by Wyoming to remove wild horses from public lands in the state.

The state of Wyoming filed the lawsuit against the Department of the Interior and Bureau of Land Management in U.S. district court claiming that BLM failed to keep horse populations in seven herd management areas low enough to prevent damage to the ranges.

But BLM and Interior said they do not have a mandatory responsibility to remove wild horses from the herd management areas.

The district court dismissed the case, but the state filed an appeal in the 10th U.S. Circuit Court of Appeals.

"I am disappointed and have asked the Attorney General to review our options," Wyoming Gov. Matt Mead (R) said in a statement. "The BLM is not managing wild horse populations as required under the Wild Free-Roaming Horses and Burros Act. ... Mismanagement adversely affects all species and the range lands necessary for their health and survival" (Tom McGhee, [*Denver Post*](#), Oct. 11). — **CS**

WILDLIFE:

TripAdvisor halts ticket sales for touching, riding animals

Published: Wednesday, October 12, 2016

Travel planning website TripAdvisor Inc. is halting online ticket sales for events that allow tourists to come into contact with wild and endangered animals.

The move is part of an effort to address animal cruelty and comes after conservation and animal rights groups expressed concerns about elephant rides, tiger petting, swimming with dolphins and other activities.

"In some places, it's a free-for-all," said Richard Rees, who directs the Maldives Whale Shark Research Programme. "We see touching, riding, flash photography, obstruction — all sorts of bad practices.

"Out in the real world, TripAdvisor is often the only voice that really scares operators," Rees said. "I like that we'll have visitors with the right expectations about what good practice is."

TripAdvisor, the largest travel website in the world, will continue to list such attractions.

While some animal rights groups offered praise, others said the travel website is not going far enough.

"We hope it will only be a matter of time before TripAdvisor will also come to realize that it has to end sales to all cruel wildlife attractions, such as SeaWorld, where the animals endure a lifetime of abuse and

highly stressful training to perform," said Steve McIvor of the group World Animal Protection. "Until then, we will provide the best education we can on TripAdvisor's website to steer people away from cruel venues like these" (Kevin Rushby, [London Guardian](#), Oct. 12). — **GD**

ENDANGERED SPECIES:

Chefs develop appetite for rare 'heirloom' pig

Published: Wednesday, October 12, 2016

Chefs have a new favorite breed of pig, the Ossabaw, and their interest may save the species from extinction.

The large, short-snouted breed sells well at restaurants because of its rich meat and white fat.

"Pork is now like tomatoes. Everyone wants heirloom varieties, and the funkier it looks, the better," said Julian Eckhardt, sous-chef at the Inn at Little Washington in Washington, Va.

Ossabaws are considered a heritage breed, meaning they haven't been bred for improvement and to enhance factors like growth rate and reproductive performance. While some groups consider the Ossabaw an endangered species, the demand for its meat is causing more farmers to turn to Ossabaw breeding.

These farmers include Clay and Linda Trainum in Waynesboro, Va., who breed between 250 and 500 free-range Ossabaws on their farm. According to them, the manner in which the pigs are fed and raised goes a long way to improving the flavor of the meat.

"Pigs are omnivores, and the more options you give them to eat, the better the product is," said Clay Trainum (Phaedra Hise, [Washington Post](#), Oct. 11). — **KB**

WILDLIFE:

Village uses 'reverse tourism' to protect walrus

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Residents of an Alaskan village have a clear message for tourists: Don't come here.

The village of Point Lay on the state's northwestern coast is a hot spot for Pacific walrus. Thousands of walruses are forced onto the coastline every fall as sea ice melts; last week, there were around 6,000. Both the animals and the Chukchi Sea's fast-depleting sea ice have become tourist attractions that the small village can't handle.

The town has a population of 270 people and no hotel accommodations.

"They've had people come and had no place to accommodate them, and they ended up having to tell the person to get back on the plane and head out. I would imagine it's a very awkward situation for them," said Andrea Medeiros, with the U.S. Fish and Wildlife Service.

Moreover, the tourism industry generally increases the amount of boat and airplane activity in the area, which can frighten the walruses and cause stampedes. The animals are a source of food for the

community.

The residents of Point Lay are collaborating with FWS on a "reverse tourism" campaign. A few of them are picking up photography and film skills and plan to create a website that details the process of the walrus coming to the shore — as well as publicize the dangers of too much tourism. They also intend to monitor the walrus movement (Dan Joling, [AP/ABC News](#), Oct. 12). — **KB**

OREGON STANDOFF:

Bundys are 'heroes,' only Oregonian on trial says

Published: Wednesday, October 12, 2016

The sole Oregon resident charged in the occupation of the Malheur National Wildlife Refuge in the Western state has called the Bundy family his "heroes."

Ken Medenbach said he relished the opportunity to dispense his perspective on land rights before a jury, labeling Cliven Bundy's 2014 Nevada standoff with the Bureau of Land Management a "bold move."

Cliven Bundy's sons, Ammon and Ryan Bundy, led the occupation of the wildlife refuge earlier this year. The two younger Bundys, Medenbach and four other occupiers are on trial on conspiracy charges.

Last week, Ammon Bundy used his time on the witness stand to spread his message that the federal government should not own so much land in the West ([Greenwire](#), Oct. 6).

Medenbach, 63, made several claims that echoed those of the Bundys during his time on the witness stand.

"The federal government doesn't have authority to own land in the states," he said.

Later: "I've been called by a higher power to do what I'm doing."

The Oregon resident has pleaded not guilty on charges of using threats, intimidation or force to prevent federal employees from fulfilling their duties at the refuge.

Though he admitted to driving a government pickup to grab groceries Jan. 15 in the days before his arrest, Medenbach also pleaded not guilty to stealing federal property.

"It didn't matter to me being arrested because I'm where I want to be right now," he continued. "I've been waiting 21 years to be where I'm at right now."

He noted deep affinity for the Bundys because he claimed to be fighting "the same things they were fighting" (Maxine Bernstein, [Portland Oregonian](#), Oct. 11). — **GD**

DENMARK:

80,000 trout escape into sea after ship slams into fish farm

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Around 80,000 rainbow trout were released into the sea after a Russian cargo ship slammed into a fish farm.

The ship was on its way to Kolding, Denmark, when it hit the farm near the islands of Funen and Jutland. The fish — which were to be slaughtered later this week, according to Snavtun Fisk, the aqua-farming firm that owned them — escaped into the sea.

"We will seek compensation from the ship owners," said Tim Petersen, co-owner and director of the company.

The incident could pose a threat to the marine ecosystems in the area but also provides an opportunity for anglers. The fish are expected to survive in the sea for a few months and are worth around 10 million Danish crowns, or \$1.5 million, according to Petersen.

"All sports fishermen should get out there with their gear and start fishing," said Søren Knabe, director of a local fishing association.

According to Ulrik Jeppesen, a fisherman who lives in the area, there have been cases of fish being released into the water before. He estimated it would take the fish around five days to adapt to their new environment and begin biting.

"I see this as a bit of a tragedy [for the environment], to be honest. But I will probably make a trip or two out there," he said (Pultz Nielsen/Gronholt-Pedersen, [Reuters](#), Oct. 11). — **KB**

CANADA:

Officials will keep negotiating lumber deal despite deadline

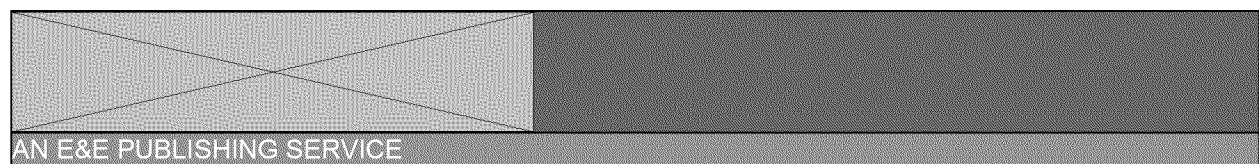
Published: Wednesday, October 12, 2016

Despite a standstill agreement that expires tonight, the Canadian and U.S. governments say they will continue negotiations for a new softwood lumber deal.

At midnight, the United States can legally file a damaging trade case against Canadian provinces. The U.S. would likely claim that Canadian provinces, which control roughly 90 percent of accessible timber, subsidize lumber businesses. Such a claim could potentially be the fifth time since the 1980s that a similar trade battle has emerged ([Greenwire](#), Oct. 10).

But a statement out today from Canadian Trade Minister Chrystia Freeland and U.S. Trade Representative Michael Froman says they are committed to finding a "durable and equitable" deal.

A 2006 softwood lumber agreement between the countries expired a year ago, opening a one-year standstill period. Starting tonight, the U.S. could impose tariffs on Canadian lumber imports (Steven Chase, [Toronto Globe and Mail](#), Oct. 12). — **CS**



1.EXTREME WEATHER:**Haiti storm peril exposes climate burden in poor nations**

A wastewater unit in Jacksonville, Fla., experienced a brief electrical fault as Hurricane Matthew barreled through Florida last week and released around 5 million gallons of sewage into the Ortega River. Officials immediately warned residents to avoid swimming and fishing in the river, a step that might have saved lives. People on the battered island of Haiti weren't as lucky. It's 980 miles from Jacksonville, but the damage wrought by the storm was a world away.

TOP STORIES

2.TECHNOLOGY:**Fire-prone Samsung phone relies on technology used in energy storage**

EMISSIONS

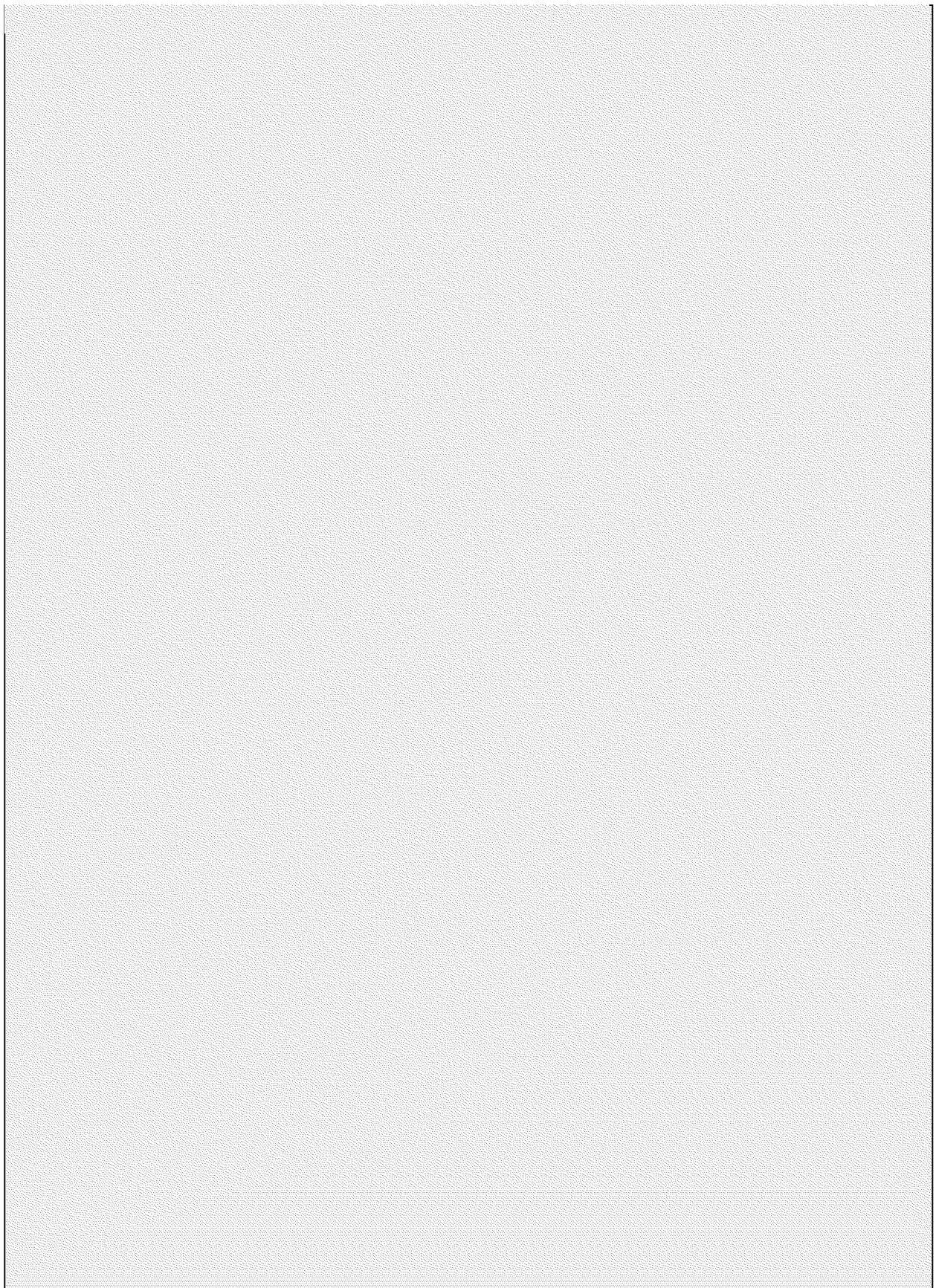
3.EMISSIONS:**CO2 released at lowest levels in 25 years****4.ADVOCACY:****Greens press Obama to end federal fossil leasing**

INTERNATIONAL

5.BUSINESS:**Renewable energy rises to 23% of global production — report****6.ARCTIC:****Icy lakes on glaciers could affect sea-level rise****7.EMISSIONS:****Global deal could slow expansion of A/C in India**

TRANSPORTATION

8.AUTOS:**Investors prod carmakers to go green faster****9.ELECTRIC VEHICLES:****Two-thirds of cars could be electric by 2030**



1.DAKOTA ACCESS:**Tribes dig in for winter as pipeline tensions rise**

CANNON BALL, N.D. — The makeshift protesters' village here near the confluence of the Missouri and Cannonball rivers is buzzing. While the Dakota Access pipeline grinds forward, more than 1,000 opponents at the Sacred Stone Camp delegate daily chores, listen to speakers at the central campfire and plan civil disobedience actions designed to halt the "black snake" that has brought them all together. But less than 20 miles away, pipeline workers are on the move. After a federal court last weekend gave Dakota Access the all-clear to continue construction up to the edge of a dammed section of the Missouri River known as Lake Oahe, the company has taken quick action.

TOP STORIES

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OIL AND GAS

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